

W. Ben Miller
Technical Consultant
719 Calle Vallarta
San Clemente, CA 92673

August 21, 1992

Michael D. Blackwell
Syncom Incorporated
440 Knox Abbott Drive
Suite 240
Cayce, SC 29033

Dear Mr. Blackwell,

Thank you for your prompt response to my letter of August 13. First, on the issue of the transmitter location, it has been reported to me by the Planck Technical Services installation crew that access was denied by you (or your representative) to the established equipment room wherein the other tenants have located their equipment, and that the only access which would be made available to National Minority would be another area which requires additional expense to them. If this is not the case, or if there has been a misunderstanding on this, the matter should be clarified.

In regards to the installation of the satellite antenna, this is probably now a moot issue at this point if no suitable location is available on the platform, and if access will be denied elsewhere on the roof of the building. The salient point here is that you will allow the installation of the microwave receive antenna at a suitable location and space in the equipment room for the microwave receiver.

In consideration of the proposed 85' tower, it is National Minority's position that all cost obligations associated with the retaining of a structural consultant for the purpose of designing and providing drawings of a structurally suitable attachment for their tower and antenna have already been fulfilled in the design of the 35' tower which was subsequently rejected. As we stated before, this design was undertaken and the tower purchased in good faith. We do not believe that additional expenses are our responsibility for the engineering work which would be required to provide the necessary drawings for submitting to the building owners. As far as the local permits or the letter from a certified engineer, our position is the same. We will take responsibility only for the FAA and FCC requirements which specifically relates to the requirements for W51BR. It is not incumbent upon National Minority to become the "project manager" for the design and erection of the tower as you clearly seem to want us to be.

52854

Federal Communications Commission

Docket No. 93.73 Exempt to ARC 146

Presented by John

Identified WFF 3-1592

Disposition 440 0-1592

Received

Reporter G. W. W.

Date WFF 3-1592

Michael D. Blackwell
Syncom Incorporated
440 Knox Abbott Drive
Suite 240
Cayce, SC 29033

In the interest of expediting the project, and in the interest of cooperating with you and the other site users, National Minority will assist in the area of obtaining an estimate of tower cost, and if you desire, an estimate of rigging cost for the installation of the tower and other antennas for submitting to you. In order to do this, you must have the radio stations work together to select an antenna and transmission line system so that all the specifications can be included in the proposed tower design. One positive note is that Andrew Corporation, the manufacturer of the 35' tower, seems to feel that there is a chance that the existing unusable 35' section could be added to a new, larger base structure to make up a new 85' tower. National Minority is willing to contribute this to the make-up of the larger tower.

We strongly disagree with your position that Syncom, Inc. has no moral or legal obligation for the financial expenditures of National Minority, however, it would seem in everyone's best interest to not dwell on the liability aspects, but instead to cooperate in accommodating all tenants so that all lease obligations are fulfilled, and that your platform is operated in the safest possible manner. We look forward to assisting in any reasonable way we can toward that end.

Sincerely,



W. Ben Miller
for National Minority TV, Inc.

cc:

✓ Jane Duff, National Minority TV, Inc.
George Horvath
Jim Planck, Planck Technical Services, Inc.
Kevin T. Fisher, Smith and Powstenko

WBM:wp

GLENDAL E BROADCASTING COMPANY

EXHIBIT NO. 147

MM DOCKET NO. 93-75



**NATIONAL
MINORITY
TELEVISION
INC.**

P.O. Box C-11949, Santa Ana, CA 92711

September 10, 1992

Mr. Norman Juggert
JUGGERT & WAYMAN
2845 Mesa Verde Drive East, Suite 4
Costa Mesa, CA 92626

Dear Norm:

We have run into a sticky situation with a tower site in Columbia, South Carolina. I have attached a copy of the lease for tower space and receive dish for your review.

When Planck Technical Services (PTS) arrived at the site to install our equipment, they were told the original space for the transmitter was no longer available and we were assigned a different location in the building, which required a wall and enclosure to be built at our expense. This was only the beginning of sorrows. They were also told that both our antenna and dish would interfere with the other tenants.

Ben wrote a lengthy letter and we talked to the site manager, Mr. Blackwell, on the phone, as well. Attached is Ben's letter, along with the response letters from the site owner, for your review. It was agreed that a consultant would be hired to advise all of the tenants as to what could be done to resolve the problem. The consultant sent his report, suggesting that a new tower be constructed where all tenants could co-exist without interference. The problem is this would require each tenant to share the costs of the new construction and, of course, the FM's were not interested in spending money to assist us, nor was the site owner willing to make any additional investment.

NMTV has experienced tremendous financial losses which were incurred due to the site owner not anticipating our requirements as spelled out in the lease. We have an antenna fabricated for this particular site that must be changed if this site is not used. We must also pay for the PTS crew expenses and services, as well as, loss of expected air time and revenues.

Let me know, of course, what action you recommend and if you have any questions regarding this matter.

Thanks.

Sincerely,

JANE DUFF
Director

54467

JD:sd

GLENDALÉ BROADCASTING COMPANY

EXHIBIT NO. 148

MM DOCKET NO. 93-75

DRAFT

George
FYI

September ,1992

Syncom Incorporated
440 Knox Abbott Drive
Cayce, South Carolina 29033

Attn: Michael D. Blackwell, President

Re: National Minority Television, Inc. Master Lease Agreement

Dear Mr. Blackwell:

Our firm represents National Minority Television, Inc. Our client has asked that we attempt to resolve the dispute that has arisen regarding the above referenced lease prior to retaining counsel in Columbia.

We have advised our client that if a lawsuit is filed there is a strong probability that National Minority would recover substantial damages. Our client, however, prefers to resolve the matter in manner that would be in the best interests of both parties.

National Minority is interested in pursuing the suggestion of W. Ben Miller that an 85' tower be constructed on the existing platform utilizing the 35' tower that National Minority originally intended to install. I understand that this solution would require the cooperation of the two FM broadcasters currently on the platform as they would have to move to the new tower and to share a common antenna.

In addition, due to the refusal of the building owners to allow National Minority to use "the existing room" as provided in the lease, National Minority will incur additional expenses in preparing a new equipment area for the installation of a transmitter and terminal equipment.

National Minority would oversee the project and would advance the necessary costs. National Minority would require that all costs associated with the construction and installation of the 85' tower that are in addition to the costs that would have been incurred in the installation of the 35' tower be reimbursed by Syncom. National Minority would also require that all additional costs associated with the establishment of a new interior equipment area outside the existing room be reimbursed by Syncom.

The reimbursement would occur over the term of the lease through a reduction in rent.

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A budget for the project, as well as all technical and engineering requirements would be submitted to Syncom for approval in advance. The tower and interior improvements would become the property and responsibility of Syncom.

If Syncom is interested in this solution it will be necessary for Syncom to obtain the approval of the two FM stations, as they would be required to move to the new tower. We assume that the cost of such a move would be included in the budget unless the FM stations can be persuaded that the move is in their best interests.

In that regard, the proposed tower would provide those servicing the platform equipment with a safer workplace and would remove potential FCC violations with respect to ANSI guidelines for exposure of humans to non-ionizing radiation,

Please contact me at your earliest convenience regarding this proposal.

Sincerely,

Juggert & Wayman, APC

Norman G. Juggert

GLENDALÉ BROADCASTING COMPANY

EXHIBIT NO. 149

MM DOCKET NO. 93-75

NORMAN G. JUGGERT
KENNETH L. WAYMAN

JUGGERT AND WAYMAN
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
2845 MESA VERDE DRIVE EAST, SUITE 4
COSTA MESA, CALIFORNIA 92626

TELEPHONE
AREA CODE 714
846-3600

October 1, 1992

Syncom Incorporated
440 Knox Abbott Drive
Suite 240
Cayce, South Carolina 29033

Attn: Michael D. Blackwell

Re: National Minority Television, Inc.
Master Lease Agreement

Dear Mr. Blackwell:

I am in receipt of your letter dated September 29, 1992 and I have reviewed it with National Minority. Our client is willing to go forward along the lines suggested in your letter, but would first ask that you contact the two FM tenants and ascertain if they will be willing to move to the new tower.

I am certain that you will understand that National Minority does not want to incur engineering and consulting costs if the FM stations intend to "veto" what we legislate.

Apparently, there is a misunderstanding regarding the use of the interior room. The engineering company that was engaged to install a 35' tower reported that the building owner refused to allow the addition of any equipment to the room. This issue is one that we should be able to work out if we go forward.

Please let me know if the FM stations will cooperate.

Sincerely,

JUGGERT & WAYMAN, APC

By:

Norman G. Juggert

56191

Federal Communications Commission

Docket No. 93-73 Exhibit No. 696149

Presented by Coleman

Disposition	{	Identified	_____
		Not identified	_____
		Rejected	_____

Referee: G. W. Weber
Date: Dec. 10, 1993

GLENDALÉ BROADCASTING COMPANY

EXHIBIT NO. 150

MM DOCKET NO. 93-75

Syncom IncorporatedAgency in Communications

440 Knox Abbott Drive
Suite 240
Cayce, SC 29033

October 13, 1992

Mr. Norman G. Juggert
Juggert and Wayman, APC
2845 Mesa Verde Drive East, Suite 4
Costa Mesa, California 92626

Re: National Minority Television, Inc. Master Lease
Agreement

Dear Mr. Juggert:

I apologize for not having responded to your letter of October 01, 1992. I have only been able to contact one of the two (2) FM stations regarding the proposed 85 foot tower and they are having their consultants review the proposal. The engineer for the other FM station has been unavailable and I expect to discuss the proposal with him within the next two days.

I will keep you posted as the discussions progress.

Sincerely,

Maria Blockhouse

54468

Federal Communications Commission

Trunk No. 97.75 Date: Dec 150

Presented by: Coleman

DEC 3-1993

Received

DEC 6-1993

Disposition

Received

Received

W. W. Allen

DEC 3-1993

Signature

Date

GLENDALÉ BROADCASTING COMPANY

EXHIBIT NO. 151

MM DOCKET NO. 93-75

Memorandum

Date: 10 May, 1989

To: All Chief Engineers

From: Ben Miller

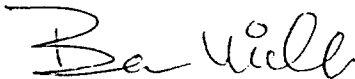
Subject: Klystron Output Stack Thermal Interlock

Gentlemen,

I recently sent out a memo to all concerned regarding the need to install an overtemp sensor on the output stack line section of all external cavity transmitters. Those of you who have not yet completed this project might benefit from the method used on a Townsend transmitter by Harold Prentice at KMLM-TV, Odessa, TX. Drawing is attached, sorry about the lack of resolution on the illustrations.

Unfortunately, Harold will be leaving us on May 15, so if you have any questions regarding the layout you will need to call him at (915) 563-5656.

Best regards,

A handwritten signature in cursive script that reads "Ben Miller".

Ben Miller

Ticket No. <u>97.75</u> Machine No. <u>CRC 151</u>	
Presented by <u>Cole</u>	DIC 3-1993
Diagnosis ()	DIC 3-1993
Reported <u>awm</u>	
Date <u>1993.11.13</u>	

GLENDALÉ BROADCASTING COMPANY

EXHIBIT NO. 152

MM DOCKET NO. 93-75

Office Memo

When finished
Please route to

_____	<input type="checkbox"/>
_____	<input type="checkbox"/>
_____	<input type="checkbox"/>
_____	<input type="checkbox"/>

TO: LA VERA JOHNSON
FROM: MARK FOUNTAIN
DATE: THURSDAY, JULY 20, 1989
RE: TRANSFER TO PORTLAND, OREGON STATION

I plan to transfer over from TBN to National Minority TV as of August 14, 1989. This date was arrived at between myself and Ben Miller to achieve our prospective air date on October 1, 1989 for KTDZ Channel 24 in Portland, Oregon. This is the time that I will be making my permanent move to Portland. (August 14).


Mark Fountain

MF:lvj
xc: Ben Miller
George Murray
Phil Crouch
Jane Duff
Personnel

027144